

FILED*07 JAN 04 15:10 USDC-ORP

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

HECTOR GARCIA,
Plaintiff,

CV. 05-31-PK

ORDER

v.

LIBERTY HOMES, INC.,
Defendant.

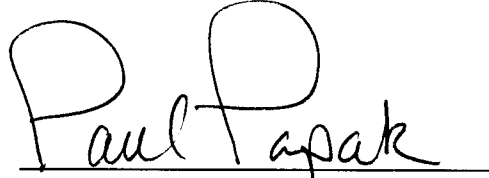
PAPAK, Magistrate Judge:

This matter comes before the court on Plaintiff's Motion for Award of Attorney Fees and Litigation Expenses/Costs pursuant to 42 U.S.C. § 1988 and ORS 659A.885 in the total amount of \$71,912.49. The motion is unopposed and Defendant stipulates as to the reasonableness of the request for fees and litigation expenses but believes "that any award of attorney fees and costs is inappropriate as defendant intends to appeal the court's judgment in this matter." The court finds that Plaintiff is entitled to an award of fees and costs as prevailing party and that Defendant's

intent to appeal does not negate that right. I have reviewed Plaintiff's request for fees and costs and agree with the Defendant that said request is reasonable. Plaintiff is awarded attorney fees in the amount of \$69,157.00 and costs in the amount of \$2,755.49.

IT IS SO ORDERED.

Dated this 4th day of January, 2007.



Honorable Paul Papak
United States Magistrate Judge